

Table of Draft Changes to 20.03.04, Lake Protection Rules (6/16/09)

Section	Title	Description of New Rule or Amendment to Existing Rule
004	Incorporation by Reference	Plumbing and electrical standards need to be changed to conform with the codes used by the Idaho Division of Building Safety. This will allow better coordination between state agencies and local jurisdictions.
004.01	2008 National Electrical Code	Incorporated for electrical standards on float homes.
004.02	2003 Uniform Plumbing Code	Incorporated for plumbing standards on float homes.
010	Definitions	
010.16	Encroachments Not in Aid of Navigation	Floating toys are deleted because they will be handled differently; see 010.18 and 015.14. Boat garages are added to be consistent with Land Board directives and the designation of float homes as encroachments not in aid of navigation.
010.18	Floating Toys	Definition is changed. Related to changes in 010.16 and 015.14.
010.25	Party	Definition changed to fix misspelling and to conform with IDAPA 20.01.01.005.13.
010.33	Riparian or Littoral Owner	Clarifies that riparian or littoral rights can be leased.
015	Encroachment Standards	
015.01	Single-Family and Two-Family Docks	
015.01c	Length of structures	Changes line of navigation to line of navigability, which is a defined term.
015.01d	Variance	Changes line of navigation to line of navigability, which is a defined term.
015.03	Commercial Marina	
015.03a	Public Use	Clarifies the amount of public use required, and what constitutes public use.
015.03b	Conversion to community dock	Clarifies requirement for conversion to a community dock.
015.03c	Vehicle parking	Public boat and float home moorage must provide one parking space per two moorages, but private boat and float home moorage must provide one parking space per moorage. The primacy of local parking requirements is reinforced.
015.03e	Minimum percentage of public use	This paragraph is deleted because it has been incorporated into 015.03a.
015.03e	Private Moorage	Clarifies what constitutes private moorage.
015.04	Covered Slips	
015.04c	Grandfathered Slip Covers	Terminology is slightly changed to not use the term “covered slips” in regards

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		to these structures.
015.10	Float Homes	
015.10b.ii	Relocation requirements	Changed plumbing standard to the 2003 Uniform Plumbing Code. See Section 004.
015.10d	Construction codes	Changes plumbing and electrical standards to the 2008 National Electrical Code and the 2003 Uniform Plumbing Code. See Section 004.
015.10f	Construction or remodel requirements	Construction work requires a permit application and plans stamped by an engineer if the proposed work costs 50% or more of the assessed value.
015.11	Excavated or dredged channel	
015.11b	Benefit required	Misspelling is fixed.
015.11c	Littoral ownership	Allows dredging to be considered for commercial marinas.
015.13	General Requirements	
015.13a	Square footage	More precise language is used.
015.13a.i	Exception for boat lifts	Shading terminology is removed
015.13a.ii	Exception for jet ski ramp, port, or lift	More precise language is used.
015.14	Floating Toys	New Subsection.
015.14a	Permits generally not required	If certain conditions apply, then floating toys are not considered encroachments and will be regulated by counties and cities to address boating safety and other concerns.
015.14b	When permits are required	A floating toy becomes an encroachment, and a permit is required, if it is anchored with a device that requires equipment to remove it from the lake bed, or it is waterward of the line of navigability for more than 24 consecutive hours.
020	Applications	
020.07	Forms, Filing	
020.07e	Application Fees	Fee amounts are removed from the rules. Fees will be set by the Land Board, but are still limited by statute.
030	Processing Of Applications For All Other Types Of Encroachments	
030.01	Nonnavigational, Community, and	Wording is changed to clarify when notices need to be sent out.

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	Commercial Navigational Encroachments	
035	Temporary Permits	
035.04	Fee	Land Board will set fees.
060	Installation	
060.04	Sunset Clause	Amended to allow an initial sunset clause in excess of three years if needed.
065	Assignments	
065.02	Assignment Fee	Land Board will set fees.